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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,895	03/31/2004	David Benjamin Auerbach	24207-10115	5766

62296 7590 05/09/2007
GOOGLE / FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA ST.
MOUNTAIN VIEW, CA 94041

EXAMINER

ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
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2168

MAIL DATE	DELIVERY MODE
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05/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/813,895	AUERBACH ET AL.	
	Examiner	Art Unit	
	Greta L. Robinson	2168	

All participants (applicant, applicant's representative, PTO personnel):

(1) Brian Hoffman (reg. no. 39,713).

(3) Greta L. Robinson.

(2) Jason Amsel.

(4) ____.

Date of Interview: 01 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: ____.

Claim(s) discussed: 1 and 36.

Identification of prior art discussed: Barr et al. US Patent 5,742,816.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 GRETA ROBINSON
 PRIMARY EXAMINER 5/1/07

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The general nature of the telephone interview was to discuss rejections cited under 35 USC 101, 102 and 103. The examiner agreed that Applicants remarks overcomes the rejection cited under 35 USC 101. Applicant stated that the prior art does not build an index; however the examiner noted that the limitation of "building" or creating an index does not appear in the claim. Applicant argued that Barr et al. does not teach "wherein the time is based on performance data indicating a readiness to process the event and position in the queue". The examiner stated that Barr et al. teaches a session server and is concerned with timestamps; however the limitation is vague with respect to where the information is stored. Applicant will submit a formal response for review .